

REMARKS

Applicants appreciate the Examiner's thorough review of the present application, and respectfully request reconsideration in light of the preceding amendments and the following remarks.

Claims 10-11, 13-18, 21-25, 27, 29, and 30-33 are pending in the application. Claims 10, 20 and 22 have been amended only to improve claim language without otherwise touching the merits. Claims 30-33 have been added to provide Applicants with the scope of protection to which they are believed entitled. New claims 30-33 find solid support in the original specification and drawings, e.g., FIG. 2. No new matter has been introduced through the foregoing amendments.

The Examiner's 35 U.S.C. 103(a) rejection of claims 20, 22-25 as being obvious over *Ooyama* is traversed because the reference is not modifiable to arrive at the claimed invention.

The Examiner appeared to primarily rely on the "steaming" embodiment of *Ooyama* in which liquid-containing bag 52 and food F in FIGs. 10-13 switch places. Basically, the Examiner argued two points, i.e., in the *Ooyama* "steaming" embodiment, 1) it would have been obvious to substitute a food containing bag for partition sheet 68, and 2) it would have been obvious to include a steam-pressure-releasing vent in the liquid containing bag in the steaming embodiment of *Ooyama*. Applicants respectfully disagree, at least, with respect to the second point.

In the invention of independent claim 20, a vapor-releasing hole is formed in an **upper part** of a first inner bag filled with liquid and is closed by a seal configured to release the liquid into an outer bag **as vapor**.

Although the *Ooyama* reference discloses a steam-pressure-releasing vent that is provided on a liquid-containing bag, *Ooyama* does not describe how the vent is formed. In addition, since the reference *does not* teach or suggest releasing the liquid into an outer bag as vapor, a person of ordinary skill in the art would recognize that the *Ooyama* steam-pressure-releasing vent is formed simply to reduce the pressure in the liquid-containing bag, by allowing the liquid to flow out. Thus, such a person of ordinary skill in the art would understand that in *Ooyama*, the steam-pressure-releasing vent is merely a liquid-releasing vent that is formed *at the bottom* of the liquid-containing bag so that the liquid is allowed to flow out upon heating. The food positioned above partition sheet

68 is then steamed by the steam generated from the heated *liquid that has flown out of* the liquid-containing bag. This understanding is consistent with the relevant part of the reference where *Ooyama* simply discloses switching places of the liquid-containing bag and the food-containing bag, without specifying how the steam-pressure-releasing vent should be positioned.

Accordingly, Applicants respectfully submit that the *Ooyama* steam-pressure-releasing vent is merely a **liquid-releasing hole** formed at the **bottom** of the liquid-containing bag. Such a structure is not readable on the above-highlighted limitation of claim 20. Therefore, independent claim 20 is not obvious over *Ooyama*.

Claims 22-25 depend from claim 22, and are considered patentable at least for the reason advanced with respect to claim 22. Claims 22-25 are also patentable on their own merits since these claims recite other features of the invention neither disclosed, taught nor suggested by the applied art.

For example, as to claim 24, *Ooyama* clearly fails to disclose, teach or suggest the container of claim 20 in which the second, **food-containing bag is bonded to the bottom of the outer bag**. The “steaming” embodiment of *Ooyama* cannot be modified to include the highlighted feature because the food must be positioned *above* the liquid-containing bag, and hence above the bottom of the outer bag. Although, in other embodiments, e.g., FIGs. 1-8, *Ooyama* discloses a food-containing bag pasted to the bottom of the outer bag, such embodiments do not include and are not modifiable to include a vapor-releasing hole formed in an upper part of the liquid-containing bag.

The 35 U.S.C. 103(a) rejection of claim 21 as being obvious over *Ooyama* in view of *Hoffman* is traversed at least for the reason advanced with respect to claim 20 from which claim 21 depends.

The 35 U.S.C. 103(a) rejection of claim 29 as being obvious over *Ooyama* in view of *Hoffman* and *Chung* is traversed for the reason advanced with respect to claim 20 from which claim 29 depends, and for the reason advanced in the May 13, 2003 Amendment, page 10, the second paragraph from bottom. The “steaming” embodiment of *Ooyama* is not combinable with *Chung* to have a plurality of the second, food-containing bags positioned *around* the first, liquid-containing bag in the presently claimed manner, because in the *Ooyama* “steaming” embodiment, such food-

containing bags should be positioned *above* the liquid-containing bag.

The 35 U.S.C. 103(a) rejection of claims 10, 11, 13-15, 18 as being obvious over *Ooyama* in view of *Hoffman* is traversed the reason advanced with respect to claim 20 which includes limitations similar to those of independent claim 10.

This rejection is also traversed because the applied references, especially *Hoffman*, fail to disclose, teach or suggest the claimed internal heating element being installed **in** said first inner bag (liquid-containing bag). In *Hoffman*, diaphragm 19 and separator 20 form chambers 23 and 24. Chamber 23 accommodates a liquid reactant, and chamber 24 accommodates a solid reactant for exothermic reaction. Chamber 23 is formed so as to face the liquid to be heated, and chamber 24 is directed to the outside of the container. Therefore, chambers 23 and 24 are *not* accommodated *inside* the liquid-containing container, as presently claimed.

The 35 U.S.C. 103(a) rejection of claim 14 is also traversed for the reason advanced with respect to claim 24.

The 35 U.S.C. 103(a) rejection of claims 16-17 is traversed, at least, for the reason advanced with respect to claim 10.

The 35 U.S.C. 103(a) rejection of claim 27 is traversed for the reasons advanced with respect to claims 10 and 29.

New claim 30 is patentable over the applied references because the references, especially *Ooyama*, clearly fail to disclose, teach or suggest a container, comprising an outer bag; a first inner bag filled with a liquid and having a **first vapor-releasing hole in an upper part** thereof; a second inner bag containing therein a substance; wherein at least a portion of said second inner bag and the substance contained therein are positioned **below the first vapor-releasing hole** of said first inner bag. In the "steaming" embodiment of *Ooyama*, the entirety of the food is positioned *above* the steam-pressure-releasing vent, if any. Other embodiments of *Ooyama* lack the claimed vapor-releasing hole of the liquid-containing bag.

New claim 31 is patentable over the applied references for the reason advanced with respect to claim 30. New claim 31 is also patentable because the references singly or in combination fail to

disclose, teach or suggest the claimed internal heating element which is **configured to generate sufficient heat** to cause said liquid to escape said first inner bag, as vapor, in **an amount sufficient for submergence** of said portion of said second inner bag and the substance contained therein. In the "steaming" embodiment of *Ooyama*, the vapor-generating liquid necessary for *steaming* the food needs not be in an amount sufficient for submergence of the food. Other embodiments of *Ooyama* lack the claimed heat which is sufficient to cause the liquid to escape the liquid-containing bag as vapor; such embodiments of *Ooyama* simply require heating the liquid, rather than vaporizing it.

New claims 32-33 are patentable over the applied art of record for the reasons advanced with respect to claims 30-31, respectively.

Each of the Examiner's rejections has been traversed. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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